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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 LEROY R. WALLS, III,

2:12-CV-1629 JCM (PAL)

9 Plaintiff(s),

10 v.

11 LAS VEGAS METROPOLITAN
12 POLICE DEPARTMENT,

13 Defendant(s).
14

15 ORDER

16 Presently before the court is Magistrate Judge Leen's report and recommendation that *pro*
17 *se* plaintiff Leroy R. Walls, III's case be dismissed. (Doc. # 4). Defendant had up to, and including
18 May 17, 2013, to file objections. To date, no objections have been filed.

19 This court "may accept, reject, or modify, in whole or in part, the findings or
20 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)©. Where a party timely
21 objects to a magistrate judge's report and recommendation, then the court is required to "make a de
22 novo determination of those portions of the [report and recommendation] to which objection is
23 made." *Id.*

24 Where a party fails to object, however, the court is not required to conduct "any review at all
25 . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).
26 Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate
27 judge's report and recommendation where no objections have been filed. *See United States v. Reyna-*
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1 *Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district
2 court when reviewing a report and recommendation to which no objects were made); *see also*
3 *Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003) (reading the Ninth Circuit's
4 decision in *Reyna-Tapia* as adopting the view that district courts are not required to review "any
5 issue that is not the subject of an objection."). Thus, if there is no objections to a magistrate judge's
6 recommendation, then this court may accept the recommendation without review. *See, e.g.*,
7 *Johnstone*, 263 F.Supp.2d at 1226 (accepting, without review, a magistrate judge's recommendation
8 to which no object was filed).

9 Nevertheless, this court finds it appropriate to engage in a de novo review to determine
10 whether to adopt the recommendation of the magistrate judge. Upon considering plaintiff's failure
11 to comply with the court's screening order to take any action to prosecute this case following
12 dismissal of his complaint—the court finds good cause to adopt the magistrate's findings in full.

13 Accordingly,

14 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge Leen's
15 report and recommendation (doc. # 4) be, and the same hereby is, ADOPTED in its entirety.

16 IT IS THEREFORE ORDERED that *pro se* plaintiff Leroy R. Walls, III's complaint (doc.
17 # 3) be DISMISSED.

18 DATED June 6, 2013.

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21 UNITED STATES DISTRICT JUDGE